

REMARKS

Claims 1-28, 30-31, 33-34 are pending. Claims 1, 14, and 28 are in independent form.

In the action mailed December 7, 2006, the Examiner indicated that Information Disclosure Statements filed on November 11, 2004, May 3, 2005, and May 13, 2006 were “still being considered by the Examiner.”

However, Applicant notes that initialed copies of the Form PTO-1449's filed with these Information Disclosure Statements have already been received. Thus, it appears that the cited references have already been considered by the examiner. *See, e.g., M.P.E.P. § 609* (describing that initials of an examiner placed adjacent to a citation mean that the citation *has been considered* by the examiner).

If these Form PTO-1449's are in error and the references cited therein have not been considered, Applicant respectfully requests that the cited references be considered immediately. *See, e.g., M.P.E.P. § 609* (describing that the “examiner has an obligation to consider” disclosed information; *37 C.F.R. § 1.97 (b)* (describing that an information disclosure statement shall be considered by the Office if filed.)). *See also 37 C.F.R. § 1.104 (a)(1)* (mandating that “examination shall be complete.”)

Accordingly, Applicant requests that the status of the references cited in the Information Disclosure Statements filed on November 11, 2004, May 3, 2005, and May 13, 2006 be clarified and, if they have not been considered, that they be considered immediately.

Claims 1-35 were rejected under 35 U.S.C. § 101 as lacking patentable utility. In particular, the rejection contends that the claims do not produce a specific or substantial useful result.

Applicant respectfully disagrees. Attention is respectfully directed to, e.g., paras. [0004]-[0007] of the specification, which describe how the matching of documents to content is of use in Internet advertising. Given the economic significance of Internet advertising, the matching of documents to content clearly has utility and the requirements of 35 U.S.C. § 101 are met. Accordingly, Applicant requests that the utility rejections be withdrawn.

CLAIM 1

Claim 1 was rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,484,161 to Chipalkatti et al. (hereinafter “Chipalkatti”).

Claim 1 relates to a method that includes accessing a source article, identifying a plurality of regions in the source article, determining at least one local concept associated with each region, analyzing the local concepts of each region to identify any unrelated regions, eliminating the local concepts associated with any unrelated regions to determine relevant concepts, analyzing the relevant concepts to determine a source meaning for the source article, and matching the source meaning with an item meaning associated with an item from a set of items.

The rejection of claim 1 is based on the contention that Chipalkatti describes the method recited in claim 1. Applicant respectfully disagrees.

In this regard, Chipalkatti deals with an on-line query tool. *See, e.g., Chipalkatti*, col. 1, line 33-35. The query tool performs queries or searches upon an existing database. *See, e.g., Chipalkatti*, col. 1, line 40-45. In Chipalkatti's system, a query request is received from a user over a user interface (namely, the GTE Superpages Internet site), routed to a server, and used to perform a data query on business listings in a primary database 812 and a secondary database 814. *See, e.g., Chipalkatti*, col. 2, line 5-15. Primary database 812 and secondary database 814 differ in the extent to which the business listings therein are normalized. *See, e.g., Chipalkatti*,

col. 14, line 61 – col. 15, line 42. Such differences in normalization are illustrated in FIG. 26, 27 of Chipalkatti, which illustrate the different representations of relations along with address/e-mail/telephone number data. *See, e.g., Chipalkatti*, FIGS. 26, 27. As pointed out by Chipalkatti, such differences in normalization impact the performance and flexibility of a database. *See, e.g., Chipalkatti*, col. 15, line 13-16; col. 20, line 24-27.

The business listings in databases 812, 814 are associated with categories. *See, e.g., Chipalkatti*, col. 9, line 46-50. The categories are returned in the result sets of business listings yielded by search queries. *See, e.g., Chipalkatti*, col. 20, line 56-62. Chipalkatti describes that the categories of business listings can be compared to the terms in the original user query and, if categories are present that do not include any of the terms in the user query, then, such categories may be discarded. *See, e.g., Chipalkatti*, col. 34, line 40-45. This prevents the user from retrieving categories that are unrelated to the query. *See, e.g., Chipalkatti*, col. 34, line 45-46.

As best understood by Applicant, the rejection is based on the contention that the web page at the URL corresponding to the GTE Superpages Internet site constitutes a “source article” and fields for entry of query information, hyperlinks, and other advertisements on this site constitute “a plurality of regions in the source article,” as recited in claim 1. *See Office action mailed December 7, 2006*, paragraph bridging pages 10, 11. However, the rejection also contends that the categories which have been assigned to business listings in primary database 812 constitute local concepts associated with each region, as recited in claim 1. *See Office action mailed December 7, 2006*, page 11, first full paragraph.

The rejection thus contends that 1) the fields, hyperlinks, and advertisements on the GTE Superpages Internet site constitute “a plurality of regions,” and 2) each business listing in primary database 812 constitutes “each region.” Applicant respectfully submits that these contentions are logically inconsistent in that these different elements cannot both reasonably be considered to be regions in a source article, as recited in claim 1. As discussed above, primary database 812 is distinct from the GTE Superpages Internet site. *See also Chipalkatti*, FIG. 2 (showing user 800 as distinct from databases 812, 814). The categories of each business listing in primary database 812 are thus not associated with the fields, hyperlinks, and advertisements on the GTE Superpages Internet site. Such logical inconsistency is insufficient to maintain an anticipation rejection and claim 1 is thus not anticipated by this interpretation of *Chipalkatti*.

Moreover, even if one were to consider entries in databases 812, 814 to be regions of a source article and the categories assigned to those entries to be local concepts associated with each region, claim 1 would still not be anticipated by *Chipalkatti*. In this regard, claim 1 recites that the local concepts associated with any unrelated regions are eliminated to determine *relevant concepts that are analyzed to determine a source meaning for the source article*. Not only does *Chipalkatti* fail to describe or suggest that a “source meaning” for databases 812, 814 is determined, it would appear that any contention that a source meaning for databases 812, 814 should be determined is without merit. As discussed above, databases 812, 814 are collections of business listings. Even if *Chipalkatti*’s collection of business listings were considered to have a “source meaning,” applicant respectfully submits that neither *Chipalkatti* nor anyone else would seek to determine it.

The rejection points to col. 35, line 21-35 of Chipalkatti as allegedly providing support for such a determination of a source meaning for a source article. *See Office action mailed December 7, 2006*, page 13, first full paragraph. For the sake of convenience, this section is now reproduced.

“A series of steps may be performed as pre-processing operations in order to *classify and establish query result sets for common queries*. Referring to a flow chart 31 in FIG. 42, at a step 32 common terms may be identified prior to system initialization. Designation of common terms may be performed based on a number of different factors. For example, a single word might in theory be designated a common term, if it appears with a high frequency in result sets obtained by users. It is noted that a single word common term may offer relatively little benefit in search efficiency, because the term lists 836 already permit searching based on individual terms. Alternatively, common terms might consist of multiple word combinations of any length, whether bi-grams, tri-grams, or n-grams. Thus, words that co-occur in high frequency can be designated as common terms, such as in a bi-gram format. For example, the bi-gram "Boston--restaurant" might be designated a common term.” *See Chipalkatti*, col. 35, line 21-35 (emphasis added).

This section thus describes that query result sets for common queries can be established during pre-processing operations, presumably in the interest of spreading processing load over an extended period.

In contending that establishing result sets for common queries constitutes a determination of a source meaning for a source article, the rejection appears to contend that these result sets constitute the “source article.” However, this is logically inconsistent with the proposition that databases 812, 814 constitute the “source article,” as well as the contention that the GTE Superpages Internet site constitutes the “source article,” discussed above. Moreover, no “plurality of regions” in the result sets for common queries are ever identified, nor is at least one local concept associated with regions in the result sets determined, as recited in claim 1.

It is well-established that anticipation requires the identical invention to be shown in as complete detail as is recited in the claim. *See, e.g., M.P.E.P.* § 2131 (*citing Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989)). When the rejection is based on a series of logically inconsistent propositions that rely upon designating different elements of a system to meet the elements and limitations recited in a claim, this standard has not been met.

Accordingly, claim 1 is not anticipated by Chipalkatti. Applicant respectfully requests that the rejections of claim 1, and the claims dependent therefrom, be withdrawn.

CLAIM 14

Claim 14 was rejected under 35 U.S.C. § 102(e) as anticipated by Chipalkatti.

Claim 14 relates to a computer-readable medium containing program code. The program code comprises program code for performing operations comparable to those recited in claim 1.

As discussed above, the rejection of claim 1 is deficient as logically inconsistent. Chipalkatti fails to describe or suggest elements and limitations recited in claim 1, and these same deficiencies are relevant to claim 14. For example, it is logically inconsistent to contend that both the fields, hyperlinks, and advertisements on the GTE Superpages Internet site and the business listings in primary database 812 constitute regions in a source article, as recited in claim 14.

Thus, in light of the comments above, claim 14 is not anticipated by Chipalkatti. Applicant respectfully requests that the rejections of claim 14, and the claims dependent therefrom, be withdrawn.

CLAIM 28

Claim 28 has been amended to recite subject matter drawn from former claims 29 and 31. Claims 29 and 31 were rejected under 35 U.S.C. § 102(e) as anticipated by Chipalkatti.

Claim 28 relates to a method that includes accessing a source article, identifying at least a first content region and a second content region in the source article, determining at least a first local concept associated with the first content region and determining at least a second local concept associated with the second content region, matching the first content region with a first advertisement from a set of advertisements based at least in part on the first local concept, matching the second content region with a second advertisement from the set of advertisements based at least in part on the second local concept, and displaying the matched advertisements on the source article.

As a threshold matter, 35 U.S.C. § 132 and 37 C.F.R. § 1.104(2) both require that the reasons for any adverse action actually be stated in an Office action. However, it appears that no basis for the rejection of claim 28 under 35 U.S.C. § 102(e) has ever been set forth.

Accordingly, the rejection of claim 28 is facially deficient. Applicant requests that it be withdrawn. Further, Applicant respectfully requests that the reasons for all rejections, including the rejections of claim 28 under 35 U.S.C. § 102(e), actually be set forth so that Applicant may judge the propriety of continuing prosecution.

As anticipation rejections, the rejections of former claims 29 and 31 were presumably based on the contention that Chipalkatti describes the methods recited in former claims 29 and 31. Applicant respectfully disagrees.

In this regard, as discussed above, Chipalkatti deals with an on-line query tool that receives a query request from a user over a user interface and performs a data query on business listings in databases 812, 814. The business listings in databases 812, 814 are associated with categories that are returned in the result sets. The categories of business listings can be compared to the terms in the original user query and, if categories are present that do not include any of the terms in the user query, then, such categories may be discarded.

The remaining business listings in a result set can be presented to a user. *See, e.g., Chipalkatti*, col. 110, line 28-34. A user can select one of the business listings, and additional information related to the selected listing, including advertisements, can be displayed. *See, e.g., Chipalkatti*, col. 110, line 34-37.

As best understood by Applicant, the rejection is based on the contention that these advertisements are somehow displayed “on” the source article. Applicant respectfully disagrees. Chipalkatti makes it clear that these advertisements are displayed upon user selection of a business listing. Such a display of advertisements cannot be considered on the source article, since claim 28 recites that the first and second content regions are in the source article.

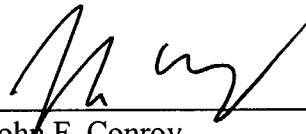
Accordingly, claim 28 is not anticipated by Chipalkatti. Applicant respectfully requests that the rejections of claim 28, and the claims dependent therefrom, be withdrawn.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

No fees are believed due at this time. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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